

**DRAFT**  
**MINUTES OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO, N. C.**

REGULAR MEETING:

21 MARCH 2000

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Tom Phillips, Donald R. Vaughan and Nancy Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Allen M. Jones, employee in the Engineering and Inspections Department, who served as courier for the meeting.

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The Mayor outlined the procedures for conduct of the meeting.

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In response to Council's request to the Human Relations Commission to examine the perception of racism in Greensboro, Diane Munden, Chairman, presented the Commission's report on public hearings on racism. Ms. Munden outlined the topics of discussion at five public hearings held between February and June of 1999; she explained the purpose of conducting the hearings and outlined the findings and recommendations of the Commission.

Council discussed the roles of the Human Relations Commission and the federal Equal Opportunity Commission (EOC) with respect to the legal jurisdiction in human relations cases requiring subpoena power and the volume and seriousness of cases reviewed by both Commissions. Various opinions were voiced regarding specific industries and individuals, the national and local efforts being made to address racism and possible future directions for the Human Relations Commission. Council thanked Ms. Munden and the Human Relations Commission for their ongoing efforts.

A copy of the Human Relations Commission's report and an outline of Ms. Munden's presentation are filed in Exhibit Drawer N, Exhibit Number 6, which is hereby referred to and made a part of these minutes.

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-40 Residential Single Family to conditional Use-Light Industrial for property located on the east side of Pleasant Ridge Road between West Market Street and Cude Road; he advised that this matter was being heard on appeal filed by Stanhope Johnson after receiving a 4-3 vote of the Zoning Commission to recommend denial of the request.

The Mayor administered the oath to those who wished to speak to the matter.

C. Thomas Martin, Planning Director, presented a map of the area's general land use and described the property of the proposed rezoning and surrounding area. Mr. Martin provided the following staff presentation:

**Request:**

This request is to rezone property from RS-40 Residential Single Family to Conditional Use – Light Industrial.

The RS-40 District is primarily intended to accommodate single family detached residential dwellings on large lots at a density of 1.0 unit per acre or less.

The Light Industrial District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities.

**Section 30-4-5.3(B)(5) – Corporate Park District (CP):**

- (a) Loading areas shall not be located on the side of a building facing a public street.
- (b) Accessory outside storage:
  - (i) Shall not cover an area exceeding twenty-five (25) percent of the ground level gross floor area of the principal building(s);
  - (ii) Shall be restricted to the area between the rear property line and the building(s); and
  - (iii) Shall be fully screened from ground level view from adjacent properties or public streets.
- (c) Outside manufacturing, processing, or assembly shall not be permitted.

Mr. Martin read the following conditional use conditional use conditions for the requested zoning district.

- 1) Within the area designated as Tract 1, the Additional Requirements designated by the Ordinance for CP Districts, found at Section 30-4-5.3(B)(5) (as of 12-17-99), shall be required.
- 2) Within the area designated as Tract 2, a Type A planting yard shall be required around the perimeter of the zone lot, except for driveway and/or street access.
- 3) Along Pleasant Ridge Road, the building setback shall be a minimum of 50 feet from the right-of-way.
- 4) There will be no metal sided facades visible from a public street.

Mr. Martin presented slides of the proposed rezoning and surrounding property which consisted of approximately 30.5 acres located on the east side of Pleasant Ridge Road between West Market Street and Cude Road. He stated that the Planning Department recommended approval of the request and the Zoning Commission had recommended denial of the request.

After Councilmember Perkins advised Council that he would abstain from voting because his company had a financial interest in the proposed rezoning; the City Attorney requested a motion to excuse him from voting on the matter. Councilmember Vaughan thereupon moved that Councilmember Perkins be excused from voting on this issue. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of the Council.

Stanhope Johnson, with offices located at 127 North Greene Street, requested the Council to approve the rezoning. He stated that the property was within close proximity of a new postal facility scheduled to open in the summer of 2001; outlined the planned use of the property to serve the U.S. Postal Service as a parking yard for delivery trucks; and presented a map to compare land uses in the area. Council discussed with Mr. Johnson the anticipated volume of truck traffic; truck routes and noise that could impact the area if the parking yard were built at the location of the rezoning request.

Earl Tucker, residing at 1165 Pleasant Ridge Road and Neil Hansen, residing at 1178 Pleasant Ridge Road, discussed the proximity of the proposed rezoning to their homes and voiced concerns about the impact the parking facility could have on noise, vibration and air pollution at their residences. They cited the impact of existing trucking businesses already in their area and expressed concern about additional

development with respect to traffic capacity on Pleasant Ridge Road, alternative routes that required additional travel, and the encroaching effect of industrialization. They requested Council to deny the rezoning request.

Following discussion concerning the potential impact of the proposed rezoning, Council requested the Transportation Department staff to communicate with the North Carolina Department of Transportation and the United States Post Office regarding the possibility of restricting truck traffic to the new post office on Pleasant Ridge Road. Council suggested that general improvements to Pleasant Ridge Road be addressed before approving additional development, and requested staff to establish long-range comprehensive plans for development of the Pleasant Ridge Road area.

Councilmember Phillips moved that the public hearing be closed. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of the Council. After realizing that a rebuttal opportunity had not yet been provided, Councilmember Carmany moved that the public hearing be reopened. The motion was seconded by Councilmember Jones and was unanimously adopted by voice vote of the Council.

After brief rebuttal comments, Councilmember Phillips moved that the public hearing be closed. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of the Council.

Councilmember D. Vaughan thereupon moved that the ordinance rezoning this property to Conditional Use – Light Industrial be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the potential use of the property.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because including Corporate Park standards for location of loading areas, restrictions on outside storage, and prohibition of outside manufacturing, processing, and assembly, in addition to the provisions for increased building setback and Type A planting yard, accommodates development which is compatible with adjacent residential uses.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because corporate park or light industrial land uses are compatible with the long term plan of development and recommended eventual zoning pattern for this extended area.

The motion was seconded by Councilmember Burroughs-White. The motion to adopt the ordinance was **defeated** on the following roll call vote: Ayes: D. Vaughan Noes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, and N. Vaughan, with Councilmember Perkins abstaining due to conflict of interest.

The City Attorney directed that Council must consider a motion to deny the rezoning request. Councilmember Carmany thereupon moved that the ordinance rezoning this property to Conditional Use – Light Industrial be **denied** based upon the following findings of facts:

- 1) The location and character of the development in accordance with the proposed conditions will not be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because it introduces a new district into an already established neighborhood.

The motion was seconded by Councilmember Johnson and was adopted on the following roll call

vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, and N. Vaughan.  
Noes: D. Vaughan, , with Councilmember Perkins abstaining due to conflict of interest.

(A copy of the ordinance as introduced and defeated is filed in Exhibit Drawer N, Exhibit Number 6 and is hereby referred to and made a part of these minutes.)

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Mayor Holliday stated that this was the time and place set to consider a resolution authorizing on basis of petition storm sewer improvements at 2806 Azalea Drive. The Mayor asked if anyone wished to speak to this matter.

There being no one wishing to be heard, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

A-110 RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS  
2806 AZALEA DRIVE  
TAX MAP 361-2-28

WHEREAS, due notice has been given that on the 21st day of March, 2000 at 6:00 p.m. in the Council Chamber in the Municipal Office Building a public hearing would be held on the improvements hereinafter described and that all objections to the legality of the making of the improvements are required by law to be made in writing, signed in person or by attorney, and filed with the City Clerk at or before the time of the public hearing; and

WHEREAS, the public hearing has now been held and no objections have been made to the making of the improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

A. That the street or streets hereinabove set out is/are

AZALEA DRIVE

B. That the local improvements to be made on the street or streets set out above are as follows:

Installation of a 24" storm sewer line to be installed at 2806 Azalea Drive

C. That the proportion of the cost of the improvements to be assessed against the abutting property and the terms of payment will be as provided in the Notice of Public Hearing which was served on the owners of the property to be assessed.

D. That this resolution be published one time in a newspaper published in the City of Greensboro as notice of the matters herein set out.

(Signed) Earl Jones

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The Mayor stated that this was the time and place set to consider a resolution authorizing on basis of petition paving, water, sewer, and sidewalk improvements on Kenneth Road from North Elm Street east to dead end. He asked if anyone wished to speak to this matter.

There being no one wishing to be heard, Councilmember N. Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

K-61 RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS  
KENNETH ROAD FROM NORTH ELM STREET EAST TO DEAD END

WHEREAS, due notice has been given that on the 21st day of March, 2000 at 6:00 p.m. in the Council Chamber in the Municipal Office Building a public hearing would be held on the improvements hereinafter described and that all objections to the legality of the making of the improvements are required by law to be made in writing, signed in person or by attorney, and filed with the City Clerk at or before the time of the public hearing; and

WHEREAS, the public hearing has now been held and no objections have been made to the making of the improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

A. That the street or streets hereinabove set out is/are

KENNETH ROAD FROM NORTH ELM STREET EAST TO DEAD END

B. That the local improvements to be made on the street or streets set out above are as follows:

- (a) Roadway Paving Improvements. The street or streets hereinabove named within the limits defined to be paved a maximum of 36 feet in width with stone base asphaltic concrete surface, the paving to include grading, construction of storm sewers, and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the paving.
- (b) Water Main Improvements. A water main to be laid on the street or streets hereinabove named within the limits defined, and necessary laterals to be laid for the proper connection of abutting property with the water main.
- (c) Sanitary Sewer Improvements. A sanitary sewer main to be laid on the street or streets hereinabove named within the limits defined, and necessary laterals to be laid for the proper connection of abutting property with the sewer main.
- (d) Sidewalk Improvements. That concrete sidewalks 5 feet in width be laid on north side of street and that necessary driveways be constructed.

C. That the proportion of the cost of the improvements to be assessed against the abutting property and the terms of payment will be as provided in the Notice of Public Hearing which was served on the owners of the property to be assessed.

D. That this resolution be published one time in a newspaper published in the City of Greensboro as notice of the matters herein set out.

(Signed) Nancy Vaughan

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Mayor Holliday stated that this was the time and place set to consider a resolution confirming assessment roll for local improvements on Pleasant Ridge Road from West Market Street (US 421) to Brigham Road. He asked if anyone wished to speak to the matter.

There being no one wishing to be heard, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

P-189 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS  
PLEASANT RIDGE ROAD FROM WEST MARKET STREET (US 421) TO BRIGHAM ROAD

WHEREAS, on the 3rd day of September, 1996, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals (including sewer laterals where none exist and sewer main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

PLEASANT RIDGE ROAD

West Market Street, U.S. 421 to  $\pm$  1200' North of West Market Street/U.S. Hwy. 421

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 21<sup>st</sup> day of March, 2000, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent

installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Sandy Carmany

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Moving to the Consent Agenda, the Mayor read the following ordinances into the record as required by the Greensboro Code of Ordinances:

- Ordinance amending in the amount of \$40,000 State and Federal Grant Fund for Drug Suppression Joint Operations/Task Force.
- Ordinance amending in the amount of \$7,034 the State and Federal Grant Fund Budget for purchasing various furniture and equipment for the Smith Senior Center.

The Mayor requested a motion to adopt all ordinances, resolutions and motions listed on the Consent Agenda. Councilmember Burroughs-White thereupon moved the adoption of the Consent Agenda. The motion was seconded by Councilmember Johnson; the Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-47 ORDINANCE AMENDING STATE AND FEDERAL GRANT FUND FOR DRUG SUPPRESSION JOINT OPERATIONS/TASK FORCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 99-00 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State and Federal Grant Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3550-01.4210	Overtime	\$34,540
220-3550-01.4510	F.I.C.A.	580
220-3550-01.4520	Retirement	<u>4,880</u>
TOTAL:\$40,000		

and, that this increase be financed by increasing the following State and Federal Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3550-01.7100	Federal Grant	\$40,000

(Signed) Claudette Burroughs-White

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00-48 ORDINANCE AMENDING THE STATE AND FEDERAL GRANT FUND BUDGET FOR PURCHASING VARIOUS FURNITURE AND EQUIPMENT FOR THE SMITH SENIOR CENTER.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 99-00 State and Federal Grant Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State and Federal Grant Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5007-12.5214	Office Equipment & Furniture	\$3,730
220-5007-12.5237	Program Supplies	704
220-5007-12.6059	Capital Equipment	<u>2,600</u>

TOTAL:\$7,034

and, that this increase be financed by increasing the following State and Federal Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5007-12.7110	State Grant	\$6,329
220-5007-12.9101	Transfer from General Fund	<u>\$705</u>

TOTAL:\$7,034

(Signed) Claudette Burroughs-White

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41-00 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN PORTION OF THE PROPERTY OF JERVIS J. OXENDINE, IN CONNECTION WITH THE OSBORNE ROAD SEWER PROJECT

WHEREAS, Jervis J. Oxendine is the owner of certain property located on Osborne Road, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Osborne Road Sewer Project;

WHEREAS, negotiations with the owners at the appraised value of \$1,426.00 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the amount of \$1,426.00;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$1,426.00 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 503-7062-01.6012 CBR 001.

(Signed) Claudette Burroughs-White

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42-00 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN PORTION OF THE PROPERTY OF JERVIS OXENDINE, IN CONNECTION



WITH THE OSBORNE ROAD SEWER PROJECT

WHEREAS, Jervis Oxendine is the owner of certain property located on Osborne Road, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Osborne Road Sewer Project;

WHEREAS, negotiations with the owners at the appraised value of \$713.00 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the amount of \$713.00;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$713.00 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 503-7062-01.6012 CBR 001.

(Signed) Claudette Burroughs-White

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43-00 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMNPORTION OF THE PROPERTY OF ELMER C. JONES AND WIFE, AILEEN M. JONES, IN CONNECTION WITH THE OSBORNE ROAD SEWER PROJECT

WHEREAS, Elmer C. Jones and wife, Aileen M. Jones are the owners of certain property located on Osborne Road, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Osborne Road Sewer Project;

WHEREAS, negotiations with the owners at the appraised value of \$655.00 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the amount of \$655.00;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$655.00 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 503-7062-01.6012 CBR 001.

(Signed) Claudette Burroughs-White

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44-00 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO

CONDEMN PORTION OF THE PROPERTY OF MIKEL HOWARD CHINN AND WIFE,  
KIMBERLY CHINN, AND CHINN'S SHEET METAL HEATING & AIR CONDITIONING  
COMPANY, IN CONNECTION WITH THE OSBORNE ROAD SEWER PROJECT

WHEREAS, Mikel Howard Chinn and wife, Kimberly Chinn , and Chinn's Sheet Metal Heating & Air Conditioning Company are the owners of certain property located on Osborne Road, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Osborne Road Sewer Project;

WHEREAS, negotiations with the owners at the appraised value of \$1,012.00 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the amount of \$1,012.00;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$1,012.00 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 503-7062-01.6012 CBR 001.

(Signed) Claudette Burroughs-White

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45-00 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING THE PURCHASE OF  
PROPERTY OF JOHN T. DAVIS FOR GALLIMORE DAIRY ROAD FORCE MAIN & LIFT  
STATION

WHEREAS, in connection with the Gallimore Dairy Road force main and lift station project, the property owned by John T. Davis along Hornaday Road at Tax Map No. G-1-28-A-892-18 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$38,426.00, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$38,426.00 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from account No. 508-7044-01.6019 CBR 001.

(Signed) Claudette Burroughs-White

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46-00 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING THE PURCHASE OF  
PROPERTY OF SEARS AND DAVIS PROPERTIES PARTNERSHIP FOR GALLIMORE  
DAIRY ROAD FORCE MAIN & LIFT STATION

WHEREAS, in connection with the Gallimore Dairy Road force main and lift station project, the property owned by Sears and Davis Properties Partnership along Hornaday Road at Tax Map No. G-1-28-A-892-12 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$49,541.00, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$49,541.00 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from account No. 508-7044-01.6019 CBR 001.

(Signed) Claudette Burroughs-White

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47-00 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING THE PURCHASE OF  
PROPERTY OF JOHN R. SEARS, GLADYS S. SEARS, AND MARCIA S. AND ELWOOD T.  
REGAN FOR GALLIMORE DAIRY ROAD FORCE MAIN & LIFT STATION

WHEREAS, in connection with the Gallimore Dairy Road force main and lift station project, the property owned by John R. Sears, Gladys S. Sears and Marcia S. and Elwood T. Regan along Bridford Parkway at Tax Map No. G-1-28-A-892-27 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$21,514.00, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$21,516.00 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from account No. 508-7044-01.6019 CBR 001.

(Signed) Claudette Burroughs-White

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48-00 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 4, 2000, ON THE  
ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON THE  
SOUTH SIDE OF ASSEMBLY ROAD – 0.29 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 4th day of April, 2000, the following ordinance was introduced:

**AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE SOUTH SIDE OF ASSEMBLY ROAD – 0.29 ACRES)**

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point, said point being on the south right-of-way line of Assembly Road, said point also being on the city limit line, running thence with the south right-of-way line of Assembly Road, S 88° 14' 30" E, for a distance of approximately 16 feet; thence departing from the right-of-way line of Assembly Road and running S 02° 20' 07" E, 236.28' feet; thence running N 88° 15' 43" W, for a distance of approximately 80 feet, to a point in the city limit line, said city limit line being located 150 feet east of and parallel to Pineneedle Drive; thence running with the city limit line N 13° 59' 00" E, 246 feet, to the point of BEGINNING, containing 0.29 acre based on a survey by Wayne L. Stutts, P.A.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2000, the liability for municipal taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2000.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:**

That , April 4, 2000 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 25, 2000.

(Signed) Claudette Burroughs-White

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49-00 RESOLUTION GRANTING AN UNDERGROUND ENCROACHMENT FOR AN EASEMENT

ON STREET RIGHTS-OF-WAYS TO MOSES H. CONE MEMORIAL HOSPITAL AS  
FOLLOWS: CROSSING SALK PLACE 62 FEET FROM THE INTERSECTION OF SALK  
PLACE AND WALTER REED DRIVE, BEING A TOTAL OF 45 LINEAR FEET OF FIBER  
OPTIC CABLE TO SERVE MOSES H. CONE MEMORIAL HOSPITAL SUBJECT TO AN  
ANNUAL ENCROACHMENT FEE FOR USE OF RIGHT-OF-WAY

WHEREAS, Moses H. Cone Memorial Hospital has requested an encroachment easement from  
the City for the underground installment of 45 linear feet of private fiber optic cable in order to serve the  
company by providing a communication link between the Sidney F. LeBauer Medical Center at 520 North  
Elam Avenue and the Moses Cone Health System: Behavioral Health Center at 700 Walter Reed Drive;

WHEREAS, plans have been submitted to the City Utilities Coordinator for approval of the  
construction of the communications line which would require boring under Salk Place as shown on the  
attached map;

WHEREAS, following installation of said cable, Moses H. Cone Memorial Hospital will provide  
the necessary repair, if any, of the street in compliance with City standards;

WHEREAS, Moses H. Cone Memorial Hospital has agreed to pay a reasonable fee as a direct cost  
for such encroachment easement in the amount of \$3.00 per linear foot per annum so long as the fiber optic  
cable remains;

WHEREAS, in the opinion of the City Council, such encroachment easement for the installation  
of communications cable will neither cause a public nuisance nor unreasonably interfere with the use of the  
streets and sidewalks by the public.

NOW THEREFORE, IT BE RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That pursuant to Section 4.128(c) of the Charter of the City of Greensboro, Moses H. Cone Memorial  
Hospital is hereby authorized to encroach in the above described street right-of-way for the installation of  
fiber optic cable in Salk Place as shown on the attached map, subject to an annual fee to be paid to the City  
in the amount of \$3.00 per linear foot of cable installed.

(Signed) Claudette Burroughs-White

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Motion to make a part of the minutes, report of budget adjustments covering the period of  
February 1-29, 2000 was unanimously adopted. ( A copy of the report is filed in Exhibit Drawer N, Exhibit  
Number 1, which is hereby referred to and made a part of these minutes.)

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Motion to approve minutes of regular meeting of 7 March 2000 was unanimously adopted.

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Marian Lee, residing at 807 Banner Oak Court, read her letter regarding children and  
the future. She shared various concerns and her perceptions of problems affecting children and requested  
Council to consider the future needs of children in the community. The Mayor thanked Ms. Lee for sharing  
her concerns. Councilmember Burroughs-White spoke to the importance of the child related community  
services funded by the City.

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Citing reports he had received of accidents at the corner of Cone Boulevard and North Elm

Street, Councilmember Perkins requested staff to evaluate changing the 45 m.p.h. speed limit to 35 m.p.h. on Cone Boulevard between Elm Street and Marston Street. The Manager stated the Police Department and Department of Transportation would follow up on this request.

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Councilmember Phillips clarified instructions given to staff earlier in the meeting regarding traffic issues on Pleasant Ridge Road. The Manager confirmed that restricting truck traffic and general improvements were the two areas of concern staff would investigate.

Councilmember D. Vaughan spoke to the upcoming Census and its importance for the City of Greensboro; he requested citizens to participate in the Census by returning their forms to the Census Bureau.

Stating that he served as the Council liaison to the Greater Greensboro Area Chamber of Commerce, Councilmember D. Vaughan stated he had distributed to Council an organizational/governance draft proposal for Forward Guilford, the economic development arm of the Chamber of Commerce. He requested Council share their comments with him regarding the proposal prior to the upcoming Chamber's board meeting.

Commending the work of Donna Gray, staff member of Organizational Development and Communications, Councilmember Johnson expressed appreciation for her customer service work.

Councilmember Johnson stated that she was tentatively planning to hold a town meeting on April 26<sup>th</sup> in a central location that had not yet been determined. Numerous Council members stated they had scheduling conflicts with that date. She also provided a brief update on the Hope VI Community Revitalization Project regarding developer, contractor and community involvement. Deputy City Manager, Mona Edwards, spoke to the City MWBE Office's recent involvement in the project.

Councilmember Carmany added the name of Peter Kauber to the boards and commissions data bank for future consideration of service on the Zoning Commission.

Councilmember Burroughs-White added the name of Zanzella Savoy to the boards and commissions data bank for future consideration of service.

Councilmember Burroughs-White moved that Nettie Coad be appointed to the Redevelopment Commission to fill the unexpired term of Celestine S. Simmons, who was unable to serve due to conflict of interest. This term will expire 17 December 2004. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of the Council.

Council members spoke to various recent and upcoming events in the City and the community.

The City Manager stated that at the request of Council, staff was preparing a comprehensive diversity training program that would be presented in the near future.

The City Manager and Council discussed possible dates for the annual Historical Museum luncheon.

The Manager requested a motion to adjourn to closed session to discuss legal claims in the Children's Home Society suit against the City of Greensboro and Stormwater. The motion was made by Councilmember Johnson; seconded by Councilmember Burroughs-White; and unanimously adopted by voice vote of the Council.

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THE CITY COUNCIL ADJOURNED AT 8:16 P.M.

KEITH A. HOLLIDAY  
MAYOR

SUSAN E. CROTT  
DEPUTY CITY CLERK

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